

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

v.

Criminal Case No. 17-CR-20469

Jason Manning,

Defendant.

Sean F. Cox

United States District Court Judge

ORDER DENYING
DEFENDANT'S "MOTION FOR RECONSIDERATION OF BOND" (ECF NO. 93)

After having previously consented to detention pending trial, on August 2, 2017, Defendant Jason Manning filed a motion for bond. Following a hearing on September 7, 2017, this Court denied that motion in an order issued on September 12, 2017. (ECF No. 22). In that order, the Court concluded that the Government had established by a preponderance of the evidence that there is no condition or combination of conditions that will reasonably assure Defendant's appearance and assure the safety of the community. Among other things, this Court specifically noted that "this case is not an outlier; Defendant's criminal record reflects a significant history of drug trafficking."

On August 29, 2018, Defendant pleaded guilty under Rule 11 Agreement to Count Seven of the Third Superseding Indictment, which charged him with possession with intent to distribute marijuana, in violation of 21 U.S.C. § 841(a)(1). The Rule 11 Agreement provides that the guideline range is 60 months' imprisonment. Defendant is scheduled to be sentenced by this Court on January 11, 2019.

On November 20, 2018, Defendant filed a motion asking this Court to reconsider its

September 12, 2017 detention order and release him on bond. (ECF No. 93).

The Court concludes that no hearing on this motion, and no response from the Government, is required.

The pending motion asks the Court to reconsider its prior decision ordering that Defendant be detained pending trial. Defendant, however, has since pleaded guilty to Count 7 and is now awaiting sentencing. As such, detention pending sentencing is required unless the Court finds “by clear and convincing evidence that the person is not likely to flee or pose a danger to the safety” of the community. 18 U.S.C. § 3143(a). Having reviewed the motion, the Court concludes that Defendant should be detained pending sentencing and **ORDERS** that the pending motion is **DENIED**.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: December 3, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 3, 2018, by electronic and/or ordinary mail.

s/Jennifer McCoy

Case Manager